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November 16, 2017

VIA ELECTRONIC SUBMISSION

Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Re: FOIA Request

To Whom It May Concern:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552, I am requesting access to the records specified below:

All communications and documents (paper or electronic) from 2008 to the present, reflecting or concerning the government's belief that "[The Scotts Miracle Gro Company's ("Scotts")] pesticide-treated bird food caused actual harm to birds and presented a significant risk of harm" as stated in *In re Morning Song Bird Food Litig.*, 831 F.3d 765, 779 (2016), *reh'g en banc den'd*, 2017 U.S. App. LEXIS 2867 (6th Cir. Jan. 12, 2017), as well as any similar statements by the government concerning Scotts' pesticide-treated bird food.

If there are any fees for searching for or copying the records, please supply the records without notifying me of the cost if the fees do not exceed \$1,000, which I agree to pay.

Lastly, if it would not delay your fulfillment of this request, please provide any responsive documents electronically on a CD.

Thank you for your assistance with this matter, and please contact me if you have any questions or would like to discuss this request further.

Respectfully submitted,

  
RACHEL A. COCALIS

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